

MINUTES

MONTANA SENATE 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN MIKE TAYLOR**, on January 23, 2001 at 8:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Mike Taylor, Chairman (R)
Sen. Mike Sprague, Vice Chairman (R)
Sen. Edward Butcher (R)
Sen. Vicki Cocchiarella (D)
Sen. Sam Kitzenberg (R)
Sen. Dale Mahlum (R)
Sen. Glenn Roush (D)
Sen. Don Ryan (D)

Members Excused: Sen. Dale Berry (R)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB211, 1/20/2001; SB229,
1/20/2001; HB98, 1/20/2001
Executive Action: SB211; SB229; SB195; SB164;
SB27; HB98; SB145; SB189

HEARING ON SB 211

Sponsor: SENATOR DEBBIE SHEA, SD18, BUTTE/SILVERBOW

Proponents: Eric Fehlig, Department of Commerce
EXHIBIT(bus18a01)

Opponents: None

Opening Statement by Sponsor:

{Tape : 1; Side : A; Approx. Time Counter : 0.2}

SENATOR DEBBIE SHEA, SD18, BUTTE/SILVERBOW, said this bill repeals certain sections in code because they are no longer required for the protection and health of the people of Montana.

Proponents' Testimony:

Eric Fehlig, Department of Commerce, stated this repeals Title 50, chapt 64. The department repealed all of its rules relating to asbestos regulation in 1996. Asbestos regulation is now done by the Department of Environmental Quality.

Opponents' Testimony: None

Questions from Committee Members and Responses:

CHAIRMAN MIKE TAYLOR asked if there are any FTE's associated with this.

Eric Fehlig, said no.

Closing by Sponsor: SENATOR SHEA closed without comment.

HEARING ON SB 229

Sponsor: SENATOR VICKI COCCHIARELLA, SD 32, MISSOULA

Proponents: Kathy Crego, University of Montana
Don Christian, University of Montana
Inga Nelson, Montana Education Association

Opponents: None

Opening Statement by Sponsor:

{Tape : 1; Side : A; Approx. Time Counter : 5.2}

SENATOR VICKI COCCHIARELLA, SD 32, MISSOULA, said this bill allows that if someone is employed at the University of Montana their spouse can be employed if they are qualified.

Proponents' Testimony:

Kathy Crego, University of Montana, said this would increase their ability to recruit highly trained researchers and professors who are married to qualified researchers and professors.

Don Christian, University of Montana, said they have lost highly qualified people because there was not a position for their spouse.

Inga Nelson, Montana Education Association, said this would allow the University to be more competitive and provide the best education possible to our state.

Opponents' Testimony: None

Questions from Committee Members and Responses:

SENATOR EDWARD BUTCHER asked about the policy of hiring a spouse at this point in time.

Kathy Crego said you could hire a spouse. She went on to say that you could not consider marital status in making your employment decision.

SENATOR ED BUTCHER asked if there would be potential litigation of discrimination by this bill.

Kathy Crego said no.

SENATOR MIKE SPRAGUE asked if part of the negotiations with professors would be that work would be found for their wives.

Kathy Crego said yes but only if the spouse is qualified.

SENATOR BUTCHER asked if there was a problem with tenure with both spouses at the University.

Kathy Crego said there are nepotism laws with which they currently comply. She further elucidated that there would be instances where they would sometimes have to hire someone slightly less qualified because they are the spouse.

Closing by Sponsor:

{Tape : 1; Side : B; Approx. Time Counter : 4.5}

SENATOR VICKI COCCHIARELLA, SD 32, MISSOULA, said the essence of this legislation is to remove the roadblocks to bringing the best qualified people to work at the University.

EXECUTIVE ACTION ON SB 211

Motion/Vote: SEN. RYAN moved that SB211 DO PASS. Motion carried unanimously.

EXECUTIVE ACTION ON SB 229

Motion/Vote: SEN. COCCHIARELLA moved that SB229 DO PASS. Motion carried unanimously.

EXECUTIVE ACTION ON SB 164

Motion/Vote: SEN. COCCHIARELLA moved that AMENDMENTS 16402 AND 16401 BE ADOPTED. Motion carried unanimously. **EXHIBIT** (bus18a02) and **EXHIBIT** (bus18a03)

Motion/Vote: SEN. COCCHIARELLA moved that SB 164 DO PASS AS AMENDED. Motion carried unanimously.

EXECUTIVE ACTION ON SB 27

Motion/Vote: SEN. COCCHIARELLA moved that SB 27 BE TABLED. Motion failed 4-5 with Cocchiarella, Mahlum, Roush, and Ryan voting aye.

Motion/Vote: SEN. BUTCHER moved that SB 27 DO PASS AS AMENDED. Motion carried 5-4 with Cocchiarella, Mahlum, Roush, and Ryan voting no. **EXHIBIT** (bus18a04)

EXECUTIVE ACTION ON HB 98

Motion/Vote: SEN. MAHLUM moved that HB 98 BE CONCURRED IN. Motion carried unanimously.

EXECUTIVE ACTION ON SB 145

Motion/Vote: SEN. MAHLUM moved that AMENDMENT TO SB 145 BE ADOPTED. Motion carried unanimously. EXHIBIT(bus18a05)

Motion/Vote: SEN. MAHLUM moved that SB 145 DO PASS AS AMENDED. Motion carried unanimously.

EXECUTIVE ACTION ON SB 189

Motion/Vote: SEN. SPRAGUE moved that AMENDMENT TO SB 189 BE ADOPTED. Motion carried unanimously. EXHIBIT(bus18a06)

Motion/Vote: SEN. SPRAGUE moved that SB 189 DO PASS AS AMENDED. Motion carried unanimously.

ADJOURNMENT

Adjournment: 9:40 A.M.

SEN. MIKE TAYLOR, Chairman

KYANNE KELLY, Secretary

MT/KK

EXHIBIT (bus18aad)